

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROBERT W. GREEN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-19-87-SLP
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**COMPLAINT**

Plaintiff, for his Complaint against Defendant alleges and states:

**A. JURISDICTION**

1. This is an action brought under the Federal Tort Claims Act (“FTCA”) pursuant to 28 U.S.C. §§ 1346(b) and 2671, *et seq.* Plaintiff complied with all administrative claim requirements prior to filing.

2. Plaintiff’s claim was denied in writing on August 9, 2018 by the United States of America, *ex rel.* the United States Department of the Interior, therefore this Complaint is timely filed.

3. Plaintiff Robert W. Green is a citizen of Comanche County, Oklahoma.

4. Jurisdiction is proper under 28 U.S.C. § 1346(b)(1) as Defendant United States of America, *ex rel.* the United States Department of the Interior is responsible for the negligent acts complained of.

5. Venue is proper under 28 U.S.C. § 1402(b) as all or a substantial part of the negligent acts and/or omissions occurred in Comanche County, Oklahoma within the jurisdiction of the United States District Court for the Western District of Oklahoma.

**B. CLAIMS**

6. On June 30, 2016, Comanche Nation police officer Robert Tracy was southbound on NW Madische Road near Medicine Park, Oklahoma, driving a Comanche Nation police SUV (a Chevrolet Tahoe) in the course and scope of his employment with the Comanche Nation Police Department. The Plaintiff was a passenger in a vehicle being driven by his daughter, Jessie Green<sup>1</sup>. Plaintiff's vehicle was stopped at a stop sign at the intersection of Madische Road and Highway 49. Plaintiff's vehicle was a Smart Car "fortwo." Without warning the Defendant collided into the back of the Plaintiff. As a direct and proximate result of the Defendant's conduct, Plaintiff needlessly suffered injuries and damages.

7. The Defendant was negligent and its negligence directly and proximately caused the Plaintiff's injuries and damages. Defendant's negligent acts and omissions include but are not limited to the following:

- a. Not devoting full time and attention to driving;
- b. Failing to properly use steering and braking;
- c. Failing to keep a proper lookout;
- d. Distracted or inattentive driving;
- e. Failing to stop within the assured clear distance ahead; and,

---

<sup>1</sup> *Jessie A. Green v. USA*, Case No. CIV-18-0678-HE, is currently pending before Judge Heaton.

f. Failing to obey the Oklahoma traffic safety rules and regulations.

8. The Defendant's negligence has caused the Plaintiff to suffer injuries and damages including but not limited to: physical and mental pain and suffering (past, present and future); permanent impairment; and medical expenses (past, present and future).

WHEREFORE, premises considered, Plaintiff requests judgment be entered in the amount of the administrative claim along with costs and any additional relief the Court deems just.

Respectfully submitted,

RAM LAW

*s/Peter J. Ram*

Peter J. Ram, OBA #16180  
1001 NW 63<sup>rd</sup> St., Suite 280  
Oklahoma City, OK 73116  
Email: [pjr@pjrاملaw.com](mailto:pjr@pjrاملaw.com)  
Phone: (405) 848-6411  
Fax: (405) 840-7703

Attorney for Plaintiff

ATTORNEY'S LIEN CLAIMED